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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/589,414	08/15/2006	Akinari Takada	1912.75729	8192
24978 7590 01/30/2008 GREER, BURNS & CRAIN 300 S WACKER DR 25TH FLOOR CHICAGO, IL 60606				
EXAMINER				
LUEBKE, RENTE S				
ART UNIT		PAPER NUMBER		
2833				
MAIL DATE		DELIVERY MODE		
01/30/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/589,414

Applicant(s)

TAKADA

Examiner

Renee S. Luebke

Art Unit

2833

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 9-11 and 13-27 is/are rejected.
- 7) ☒ Claim(s) 8 and 12 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☒ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____
- Paper No(s)/Mail Date 8/15/06

1. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

A substitute specification in proper idiomatic English and in compliance with 37 CFR 1.52(a) and (b) is required. The substitute specification filed must be accompanied by a statement that it contains no new matter.

2. Claims 1- 27 are objected to because of the following informalities:

- In general, the claims are written in non-standard English and are confusing
- On line 9 of claim 1, it appears that “reception” should be -receiving- in order to be consistent, and afford antecedent basis to the terminology that follows.
- On lines 11 and 12 of claim 1, it appears that -the- should be inserted before “time-programmed and “forced” as these terms were previously introduced.
- Claim 2 lacks antecedent basis for “said condition” on line 2.
- Claim 3 lacks antecedent basis for “said condition” and “said level of receiving success” on line 2.
- Claim 10 lacks antecedent basis for “the case” on line 3.
- On lines 4 and 5 of claim 25, it appears that -a- should be inserted before “time-programmed” and “forced.”
- On line 2 of claim 27, it appears that “select” should be -selection-.
- Applicant is requested to carefully review all of the claims for similar informalities.

Appropriate corrections are required.

Art Unit: 2833

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-7, 9-11 and 13-27, as best understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over Ihara, et al. The timepiece of Ihara comprises a receiving means 1C, a timekeeping means 1E, a display means 2, a control means (the connection between the processor 1E and the display 2), an external input means 1M, and a storage means 1E. Different first S22 and second S24 receiving methods are established. Ihara does not specify whether these receiving operations are time-programmed or forced. However, both methods are well known and commonly used (both separately and sequentially) in radio controlled time pieces. These broad terms, in fact, describe all receiving operations. Therefore, it would have been obvious to have the receiving operations of Ihara be of these types. In regard to claim 2, it is noted that the local station is set to be used with the first receiving method (paragraph 28); given different distances and other conditions, it is inherent that the receiving success would be different from different stations. In regard to claims 2, 3 it is noted that conditions of operation are given little patentable weight in these apparatus claims drawn to a radio controlled timepiece.

In regard to claim s 25-27, the time correction method of Ihara uses different first and second receiving methods due to, at least, the differing KHz format.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Fujisawa teaches a watch having switches to change

Art Unit: 2833

the inductance and/or electrostatic capacitance of the antenna circuit, to change the frequency of the signal received.

6. Any response to this action may be mailed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

or faxed to:

(571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

7. Any inquiry concerning this communication from the examiner should be directed to Mrs. Renee Luebke whose telephone number is (571) 272-2009.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mrs. Paula Bradley, can be reached at (571) 272-2800, extension 33.

/Renee S. Luebke/

Primary Examiner
Art Unit 2833
January 28, 2008